

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
No. 4:09-CV-145-D

DONALD RAY HARVILL, )  
Plaintiff, )  
v. )  
MICHAEL J. ASTRUE, )  
Commissioner of )  
Social Security )  
Defendant. )

REMAND ORDER

This matter is before the Court on plaintiff's Motion for Judgment on the Pleadings and defendant's Motion for Remand to the Commissioner. Plaintiff's counsel indicated that he did not oppose the defendant's Motion for Remand.

Accordingly, for good cause shown, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and remands the case to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

SO ORDERED this 2 day of July, 2010.

J. James Dever  
JUDGE JAMES C. DEVER III  
UNITED STATES DISTRICT JUDGE